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IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Karen W. Shannon, et al.

Serial No.: 09/784,674

Examiner: Channing Mahatan

TECH CENTER 1600/2900

Filing Date: Feb. 15, 2001

Group Art Unit: 1631

Title: Methods for Evaluating Oligonucleotide Probe Sequences

COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment ( ) Petition to extend time to respond  
( ) New fee as calculated below ( ) Supplemental Declaration  
(X) No additional fee (Address envelope to "Box Non-Fee Amendments")  
( ) Other: (fee \$ )

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$18	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$84	\$ 0
[ ] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$280	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$410.00	3RD MONTH \$930.00	4TH MONTH \$1450.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: Feb. 19, 2003

Typed Name: Theodore J. Leitereg

Signature: Theodore J. Leitereg

Respectfully submitted,

Karen W. Shannon, et al.

By Theodore J. Leitereg

Theodore J. Leitereg

Attorney/Agent for Applicant(s)

Reg. No. 28,319

Date: Feb. 19, 2003



**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington D.C. 20231, on February 19, 2003.

Signature Theodore J. Leitereg

Date 2/19/03

Name: Theodore J. Leitereg

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PATENTS

Attorney Docket No. 10971464-3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application: 09/784,674

Inventors: Karen Shannon, *et al.*

Group Art Unit: 1631

Filed: February 15, 2001

Examiner: C. Mahatan

Title: Methods for Evaluating Oligonucleotide Probe Sequences

Box Non-Fee  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Amendment under 37 C.F.R. §1.111

This is responsive to the Office Action dated December 2, 2002, in the above-identified patent application.

Please amend the above-identified application as follows.

**In the Claims**

Please amend the claims as follows:

1. (twice amended) A method for selecting a hybridization oligonucleotide to hybridize to a target nucleotide sequence, said method comprising:

(a) identifying a predetermined number of non-identical oligonucleotides within a nucleotide sequence that is hybridizable with said target nucleotide sequence, said oligonucleotides being chosen to sample a length of said nucleotide sequence,

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